

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JOSE MARTINEZ,

Defendant.

96-Cr-959 (SHS)

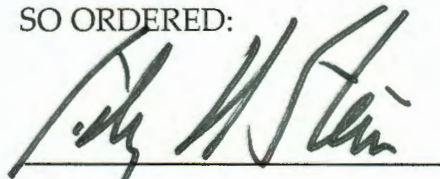
ORDER

SIDNEY H. STEIN, U.S. District Judge.

The Court is in receipt of defendant's application for a certificate of appealability, (ECF No. 166), pursuant to 28 U.S.C. § 2253(c)(2) from the denial of his successive 28 U.S.C. § 2255 petition on August 18, 2021. (ECF No. 162.) Because Martinez has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. 28 U.S.C. § 2253(c)(2); *see also Lucidore v. N.Y. State Div. of Parole*, 209 F.3d 107, 111–13 (2d Cir. 2000). In addition, the Court certifies that any appeal from an order in this Court would not be in good faith. *See Coppedge v. United States*, 369 U.S. 438, 445–46 (1962).

Dated: New York, New York  
November 19, 2021

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Sy H Stein', written over a horizontal line.

Sidney H. Stein, U.S.D.J.